

**REMARKS**

Examiners Swartz and Shannan-Shah are thanked for the courtesies extended to the Applicant's attorney at the interview on January 7, 2004. At the interview, the substance of the Official Action and §112 rejections were discussed. The Applicant indicated that the claims would be amended to delete reference to "vaccine" and the Examiners indicated that, subject to a new search, such amended claims should be allowable.

As a result, claim 17-28 have been revised to claim an immunomodulatory complex.

In addition, new independent claim 29 has been added claiming the new complex as a "composition for treatment of antibiotic resistant *Helicobacter pylori*..." This claim should be allowable for the same reasons as claim 17.

Further, the specification has been amended to delete reference to all square brackets "[ ]". They have been replaced with conventional parenthesis "( )".

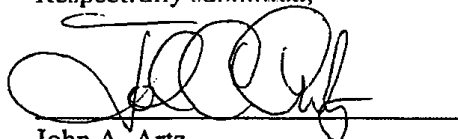
Serial No. 09/125,747

13

TORO 0101 PUS

In view of the foregoing, since the only rejections of the claims were based on §112 and these objections have been overcome, it is submitted that claims 17-29 are now allowable and the application should be passed to issuance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John A. Artz', is written over a horizontal line.

John A. Artz

Registration No. 25,824

28333 Telegraph Road, Suite 250

Southfield, Michigan 48034

Phone: (248) 223-9500

Fax: (248) 223-9522

Dated: February 3, 2004